

AMENDED IN SENATE JUNE 20, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1971

Introduced by Assembly Member Cooper

February 16, 2016

An act to add Section 25503.61 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1971, as amended, Cooper. Alcoholic beverages: tied-house restrictions: advertising.

Existing law authorizes the holder of a winegrower's license, a beer manufacturer, a distilled spirits manufacturer, or a distilled spirits manufacturer's agent, to purchase advertising space and time from, or on behalf of, an on-sale retail licensee, under certain conditions, if the on-sale retail licensee is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or major tenant of facilities meeting specified criteria, including, location in a specified city, county, or university campus.

This bill would, in addition, allow a beer manufacturer, the holder of a winegrowers license, a ~~distilled spirits~~ rectifier, a distilled spirits manufacturer, or distilled spirits manufacturer's agent to purchase advertising time and space from, or on behalf of, an on-sale retail licensee if the licensee is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or major tenant of stadiums and arenas subject to specified conditions, including that the advertising time and space is purchased only in connection with events be held on the premises of those stadiums or arenas, but without specifying the location of the facility.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25503.61 is added to the Business and
2 Professions Code, to read:
3 25503.61. Notwithstanding any other provision of this division,
4 and in addition to the exceptions provided in Section 25503.6, a
5 beer manufacturer, the holder of a winegrowers license, a ~~distilled~~
6 ~~spirits~~ rectifier, a distilled spirits manufacturer, or distilled spirits
7 manufacturer's agent may purchase advertising time and space
8 from, or on behalf of, an on-sale retail licensee subject to all of
9 the following conditions:
10 (a) The on-sale licensee is the owner, manager, agent of the
11 owner, assignee of the owner's advertising rights, or the major
12 tenant of the owner of any outdoor stadium or fully enclosed arena
13 with a fixed seating capacity in excess of 1,500. This subdivision
14 includes all stadiums and arenas licensed prior to the effective date
15 of the measure adding this section.
16 (b) The outdoor stadium or fully enclosed arena described in
17 subdivision (a) is not owned by a community college district.
18 (c) The advertising space or time is purchased only in connection
19 with events to be held on the premises of the outdoor stadium or
20 fully enclosed arena.
21 (d) The on-sale licensee serves other brands of beer distributed
22 by a competing beer wholesaler in addition to the brand
23 manufactured or marked by the beer manufacturer, other brands
24 of wine distributed by a competing wine wholesaler in addition to
25 the brand produced by the winegrower, and other brands of distilled
26 spirits distributed by a competing distilled spirits wholesaler in
27 addition to the brand manufactured or marketed by the ~~distilled~~
28 ~~spirits~~ rectifier, the distilled spirits manufacturer, or the distilled
29 spirits manufacturer's agent that purchased the advertising space
30 or time.

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